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ABSTRACT

The issues surrounding equity in education are complex and varied. Recently the focus has shifted to students at risk. This paper discusses four specific issues that have affected school learning for at-risk students over the last 50 years. Issue 1, equity and youth at risk, discusses the home and family life of at-risk students and its relationship to social and academic success. Issue 2, ability grouping and the problems of youth at risk, addresses the effects of homogeneous and heterogeneous grouping on at-risk students. Issue 3, educational opportunity for students at risk, discusses the importance of across-the-board equity in the education system's support structures. Issue 4, educational opportunity and financing schools, addresses the need for the adequate and fair distribution of resources and presents details on a number of cases involved with finance litigation since the 1970s. The paper concludes that true equity in education means that every person should have the kind of quality education that will best meet his or her needs as an individual and as a member of society. (Contains 24 references.) (WFA)

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Equity in Education: A Balancing Act

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Abstract

Equity in education has become more important because it impels the initiatives the educational reforms at this time. The major theory of educational equity is to have justness and fairness wherever education is inadequate. There are many issues in educational equity, but, currently, the issues with a special focus on students at-risk are equity itself, instructional grouping, opportunities for education, and funding educational programs.

Believers espouse that the critical factors of educational equity for students at-risk rests solely on legal decisions. Others suggest the schools are directly responsible for the inequities in the education of at-risk students. Still others feel that inequities in education are based on social changes created by federal programs.

Students at-risk of dropping out of school are not well-served by the schools. Often, both homogeneous and heterogeneous h ve been blamed for the limited achievement among these at-risk students.

The consequence of separate and segregated schools raised crucial questions about educational opportunities for at-risk students. To achieve equity in educational opportunities, all structural elements of the schools must be reformed together.

The chance to receive an adequate education has been denied to many students because of the inequitable distribution of school resources. Lawsuits challenging state methods of funding public education have been brought in forty-three states. However, the purpose for equity is to offer equal opportunities in education for every student in schools. Providing a free education, a common curriculum, and students with diverse backgrounds would be closer to principles of equity in education than school funding.

Martin Luther King, Jr. once said, "Injustice anywhere is a threat to justice everywhere" (Carson, 2001). King's words can be applied to education. It also seems to be a truism to think that inequity anywhere is a threat to equity everywhere. Equity, justice, and education are words that are more common in the public schools now than they were in the past. These equity-driven words support a theory of justice and fairness in the schools. This paper will discuss the four issues that have impacted school learning for at-risk students within the last one-half century. They are the words that deserve a further explication. And, they are: Equity and Youth At-Risk, Ability Grouping, Educational Opportunities, and Financing the Schools.

Equity and Youth At-Risk

To focus on the first topic of discussion, a question deals with the education that encompasses the lives of everyone. When people were in school, were they blue birds, one of the brightest students, or a buzzard, one of the slowest students? The answers, in all probability, is blue birds, because persons reading this paper would be considered to be quick learners and fast thinkers. Unfortunately, some people cannot give the same reply. The reason is that in many instances, uncontrollable situations in their home environments prevented them from giving their undivided attention to the classroom. These individuals most probably have been identified as youth at-risk.

Youth at-risk are children who are threatened with becoming failures in life because of the many problems they face at home and school. And, a causative relationship has been drawn between these environments. The unjust influences in the home seem to cause the inequitable and threatening influences at the school.

The compromising factors of living below the poverty level, living in single-parent homes surrounded by drugs, crime, peer pressure, few or no role models, and discrimination are the forerunners of students at-risk (Mosley & Lex, 1990). Such conditions cause these children to view themselves as victims of circumstances, lingering in an atmosphere of decay, decline, disillusion, and failure both academically and socially.

Of all the children who attend school, youth at-risk commit the most discipline infractions. They violate a majority of the rules, and have the most difficult time developing socialization skills (Mosley and Lex, 1990). Students at-risk also make the lowest grades, and they are the least academically prepared to meet the instructional goals set forth by teachers and administrators. Stover (1999) found that students at-risk were disproportionately taught by less-experienced and less-qualified teachers. Johnson (1997) also supported the claim that novice teachers portrayed negative views and perceptions of students at-risk, and these judgments exerted moderate to strong negative outcomes for them. In other words, the poor mores, mannerisms, and beliefs of the teachers produce low-achieving students at-risk.

Notwithstanding, there are many intervention strategies that can be directly and indirectly used to help students at-risk with success in home and school. Home measures include high parental involvement and mentoring. School interventions such as alternative schooling, staff development activities to increase teachers' sensitivity to all children should be implemented to assist students at-risk academically. Such initiatives will transform into change-bringing initiatives if parents, teachers, administrators, and community leaders work with these children using the theme from the recent presidential

educational program, the Leave No Child Behind Act (White House, 2002). The act, signed by President George W. Bush on January 8, 2002, provided for empowering parents, the transfer of students from failing schools, and information to parents about a school's progress by report cards. The new act speculates that caring parents should realize that the key to helping their children to grow up healthy is to identify the needs, provide appropriate remedies, and provide for safe, successful schools. But, the problems of youth at-risk are not simply school problems, as many people would like to think. Truly, youth at-risk are problems that must be addressed by the schools and the community together.

Ability Grouping and the Problems of Youth At-Risk

Collectively, educators and community leaders can use this premise as the means to developing the wherewithal to decide on which wings of instruction will best assist children with flying into achievement as bluebirds: homogeneous or heterogeneous grouping. Homogeneous grouping is the grouping of students according to their ability. Heterogeneous grouping is groups of students with different abilities and performance levels (Wheelock, 1992). With homogeneous grouping, students are assigned to a certain track where they usually remain until graduation. Heterogeneous grouping, on the other hand, gives students the opportunity to learn in a variety of educational settings and with different people.

Good and Marshall (1997) found that ability grouping or homogeneous grouping benefits teachers by allowing them to focus on students with the same abilities, and students by individualizing instruction for them, that is, giving each student more time to

learn at a pace that matches his or her instructional level. Conversely, Oakes (1993) argued that homogeneous grouping is a detriment to student achievement. She advocated this notion by highlighting research asserting that, in addition to reducing students' self-esteem and academic worth, homogeneous grouping produces students who achieve less than students in mixed ability settings. In addition, Wheelock (1992) states that heterogeneous grouping gives students equal access to enriched curricula, eliminates the tendency of stigmatizing students because of their performance, and emphasizes effort more than ability.

As indicated, homogeneous and heterogeneous grouping differ in several ways garnering criticism, dissension, and acclaim. Yet, there is little knowledge of variables that help to determine which children will have fair and just opportunities to think and learn. Therefore, to make equity in education the birthright of all, there must be an end the pattern of providing the least to those who need the most. President Clinton signed The Goals 2000: Educate America Act (P.L. 103-227) into law on March 31, 1994. The Act provided resources to states and communities to ensure that all students reach their full potential. It is based on the premise that students will reach higher levels of achievement when more is expected of them. In the first year, individual states submitted applications describing the process by which the states will develop a school improvement plans, make subgrants to local schools, as well as grant awards for preservice and professional development. The Educate America Act examines several of education's structural elements which today constitute the institutional framework of an inequitable and unjust American system of education. (Goals 2000, The Educate America Act, 1994).

Educational Opportunity for Students At-Risk

To achieve equity in educational opportunities, all structural elements must be reformed together. Allowing any one of the education system's support structures to remain inequitable will ensure continued inequity in our schools (Northwest Regional Educational Laboratory, 2001). However, inequity in educational opportunity is not a new phenomenon. There has been inequity in educational opportunity throughout history. It ranged from overt discrimination to more subtle instances. During slavery African Americans were denied an education; they were forbidden to read and write. In 1863, the Emancipation Proclamation ended slavery. Abraham Lincoln called for the abolition of slavery:

> That it is my purpose, upon the next meeting of Congress to again recommend the adoption of a practical measure tendering pecuniary aid to the free acceptance or rejection of all slave-states, so called, the people whereof may not then be in rebellion against the United States, and which states [and] may then have voluntarily adopted, or thereafter may voluntarily adopt, immediate, or gradual abolishment of slavery within their respective limits; and that the effort to colonize persons of African descent [with the

> consent] upon this continent, or elsewhere, with the previously obtained consent of the governments existing there elsewhere, will be continued.
>
> (Emancipation Proclamation, 1863).

The freed slaves sought education only to find that few schools existed and fewer of them that allowed newly freed slaves to attend. As a result, African Americans started their own schools under the leadership of Booker T. Washington and W.E.B. Du Bois.

The reconstruction period after the Civil War was marked by severe segregation of Blacks. During this period, Booker T. Washington's founded the Tuskegee Institute on July 4, 1881. The school's beginnings were very modest. The State of Alabama had provided $2,000 for teachers' salaries, but gave nothing for land, buildings, or equipment. Classes began in a run-down shanty. Although the thirty students in the first class did not know what to expect from the new school, Principal Washington knew exactly what he intended to do. Guided by the model of Hampton Institute, Washington set three objectives for Tuskegee. Students in the first class already had some education and showed potential as teachers. Throughout the school's history, many graduates became educators. Washington urged these teachers to return to the plantation districts. He wanted to show how to put new energy and new ideas into farming, intellectual life, and moral and religious life (Booker T. Washington National Monument, 2002).

W.E.B Du Bois was a Fisk University graduate in 1888. Fisk is a black institution at Nashville, Tennessee. Du Bois received a Ph.D. from Harvard University in 1895. He

was broadly trained in the social sciences, and he conducted empirical inquiries into the condition of blacks. For more than a decade he devoted himself to sociological investigations of Blacks in America at Atlanta University where he was a professor. Du Bois had believed that social science could provide the knowledge to solve the race problem. However, he concluded that in a climate of racism, lynching, disfranchisement, Jim Crow segregation laws, and race riots, social change could only be actualized through agitation and protest. He disputed with Booker T. Washington who urged Blacks to accept discrimination for the time being and elevate themselves through hard work and economic gain. In his 1903 book, The Souls of Black Folk, Du Bois found that Washington's strategy would serve only to perpetuate the status of slavery. This barrage codified opposition to Booker T. Washington and other Black intellectuals into two groups, the conservatives with Washington and radicals who advocated more direct ways of changing the racial climate of the U.S. (Du Bois, no date). Those two points of view on social change opened opportunities for Blacks; however, they were not of the same caliber as those efforts that already existed (Miller-Lachmann & Taylor, 1995).

For example, the 1896 Supreme Court decision *Plessy v Ferguson* upheld separate but equal facilities that were, in practice, rarely equal. Segregated black schools in the South received a fraction of the funding of white schools. Buildings and textbooks were old and falling apart. Most of the textbooks represented African Americans as slaves, with no treatment of slave resistance or the contributions by African Americans to American society (Plessy v. Ferguson, 1896). Black students were allowed to attend school for part of the year; the rest of the time they were expected to work in fields. Black schools were

often inconveniently located with no bus service. Because of segregation, Black schools were staffed almost entirely by Black teachers, many of whom lacked the formal education of their White counterparts (Miller-Lachmann & Taylor, 1995).

Miller-Lachmann and Taylor also described examples of inequity in educational opportunity for other races and nationalities. For instance, in the late 19th Century Chinese immigrants were barred from many public facilities including schools. If language barriers prevented Mexican, Chinese or Japanese children from learning in English, they were considered to be mentally retarded and unable to learn, even if they were fully literate in their native language. Many Native American children were sent by government authorities to schools off the reservation, where they were given non-Indian names, prohibited from speaking their traditional languages, and forced to give up the culture of their birth (Miller-Lachmann & Taylor, 1995).

The Supreme Court decision in *Brown v Board of Education* stated that separate but equal facilities were no longer sufficient, separate was inherently unequal. This decision made segregation unconstitutional because the practice deprived minority children of equal educational opportunities (Brown v. Board of Education, 1954).

Educational Opportunity and Financing Schools

However, the opportunity to receive an adequate education was denied too many students throughout the country because of the inequitable distribution of resources through school finance (Miller-Lachmann & Taylor, 1995). Lawsuits challenging state methods of funding public education have been brought in South Carolina as well as in forty-two other states (Tetreault, 1998).

The level of funding in local school districts has a profound impact on the quality of education that can be offered to the students. With more resources, school districts were able to provide a lower student teacher ratio pay higher teacher salaries to attract and retain the most qualified teachers, provide adequate supplies for teachers and students; provide adequate facilities; and offer special programs to students with the greatest need of assistance to fulfill their potential. Unfortunately schools with the most economically disadvantaged at risk students typically have the poorest financial resources (Books, 1999). This is a common pattern seen throughout the United States. Wealthy districts with high property values maintain an advantage over areas with low property values that must generate monies from higher property tax rates. After decades of litigation there are still wide disparities in public school revenues among districts in per-pupil expenditures within our state and across the nation (Vail, 2001).

The modern era of education finance litigation began in the early 1970's. In *San Antonio Independent School District v. Rodriguez* (1973), the plaintiffs relied on federal equal protection for funding equity but the U.S. Supreme Court held that the 14th amendment equal protection clause permits any kind of school finance system that provides the minimum education for every student. The 1973 decision concluded that education is not a fundamental right under the federal constitution. This decision has resulted in litigation in other state courts that often have ruled against the funding policies established by state legislatures (Zirkel, 2002).

Since Rodriguez, plaintiffs across the country sought relief primarily in state courts, under state constitution educational clauses or equal protection clauses. Several

plaintiffs have won school funding decisions as a result of a shift in legal strategy away from "equity" claims emphasizing the right to an "adequate" education that has led the courts in South Carolina to distinguish earlier cases won by defendants.

Many states finance public schools primarily through local property taxes. This strategy often resulted in notable disparities in the per pupil expenditure among school districts. In *Pawley v Kelly (* 1979) the court ruled that education is a fundamental right under state equal protection guarantees. The court held that it is the responsibility of the state to provide an adequate education for students. Responsibility does not reside with the local community. In addition, the courts have made clear that it is the responsibility of the state legislature to establish adequacy. In many cases, however, adequacy requires additional funding generated through higher taxes and most legislators have not responded well.

In *Richland County v Campbell* (1988), the South Carolina Supreme Court affirmed a circuit court's dismissal of an "equity" suit in 1988 challenging the constitutionality of the state's public school funding system. However, in 1993, forty school districts sued the state alleging that the education finance system violated the state and federal constitutions and a state funding statute. Although the court ruled in favor of the State in *Abbeville County School District v. State* (1993), it remanded the case back to the circuit court. The lower court ruling stated "maintenance and support of a system of free public schools" means simply that there would be such a system, and that the clause contains no qualitative component. The court also held that the law does not require the schools to be adequate or equal. The State did not defend the circuit court's

conclusion that the state Constitution's education clause does not impose a qualitative standard, but rather argued that the appellants did not properly define it. Since the complaint did not contain the correct definition, it did not state a proper claim, and therefore affirmed the circuit court without interpreting the clause.

The S.C. Supreme Court upheld the plaintiff's state constitutional claim of inadequate educational opportunity based on the South Carolina education clause, and remanded the case for further proceeding. The court held that this clause "requires the General Assembly to provide the opportunity for each child to receive a minimally adequate education" and defined that education to include providing students adequate and safe facilities in which they have the opportunity to acquire:

1. the ability to read, write, and speak the English language, and knowledge of mathematics and physical science;
2. a fundamental knowledge of economic, social, and political systems, and of history and governmental processes; and
3. academic and vocational skills.

School finance experts have established five methods for computing adequacy. They include: the use of normative data; the use of desired result; the Resource Model; the Education Priority Model; and the Economic Model. For state legislatures the dilemma is to compute the amount of money required to comply with the court defined adequacy. It is logical to conclude that if the financial support is not adequate, there must be an increase in revenue (Holden & Thomas, 2001).

Finally, the purpose for equity is to offer equal opportunities in education for every student in a school district. Not withstanding the popular rhetoric that schools advance economic growth, economic productivity, and social mobility, the goal of equity or equal educational opportunity for all has never fully been achieved in the United States.

Educators and administrators would concur that equity in education may be attained when there is a state of balance. Thus, a state of balance could be viewed only by a tightrope walker that is balanced firmly on the ground. Furthermore, as the 21st century becomes more mature, there must be an understanding that equality of educational opportunities does not mean that every student should have the same program of education. Nor as the courts have emphasized, does it mean that all students must have the same amount of money expended on them. Instead, it means that every person should have the kind of quality education that will best meet his or her needs as an individual and as a member of society. As a result, a provision for balance is what at-risk students need. But, there is significant disjointedness in school funding, and there must a way to balance this act, somehow, someway.

The excellence movement of the 1980s was a good response to the public's perceived failure of the schools to provide students with an education that is of high quality. Though the reforms of the movement failed to meet the goals envisioned at the time, they did help to establish three principles, which today might be considered fundamentals of change to support equity in education. The first principle is the notion that all students can learn; second, is the recognition of school accountability. The third is the promotion of equity through holistic reform efforts on equity. The excellence

movement produced an alternative mindset that goes toward equity. The focus of the movement shifted to deal with poor academic performance among at-risk minorities. But, one reform does not substitute for another in seeking the balance between students at-risk, equity, and funding of the schools.

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Endnotes

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